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EXAMINER

THEIN, MARIA TERESA P. O.

ART UNIT PAPER NUMBER

3625

DATE MAILED: 10/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/900,487

Applicant(s)

BEZOS ET AL.

Examiner

Marissa Thein

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

The disclosure is objected to because of the following informalities:

page 10, line 26 and 22, "210" should be – 220--;

page 19, line 1, "(block 650)" should be –(block 660)--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 4-5 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claims 4 and 5 recite the limitation "the related order" which has insufficient antecedent basis for this limitation in the claims.

Claim 8 recites the limitation "identifying a related order" in page 25, line 1. There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application

published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or  
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

**Claims 1-19, 22-30, and 32-37 are rejected under 35 U.S.C. 102(e) as being anticipated by US PG-PUB 2002/0007321 to Burton.**

Regarding to claims 1-12, Burton discloses a method of customizing an electronic catalog comprising: providing online access to an electronic catalog of products; receiving a request from an online customer for a portion of the electronic catalog, wherein the portion corresponds to a subset of the products represented within the electronic catalog; identifying a related order previously placed by the customer; supplementing the portion of the electronic with information about the related order; and returning the portion, as supplemented with the information about the related order, for presentation to the customer, whereby information about previous orders is presented to the customer contextually during browsing of the electronic catalog. Furthermore, Burton discloses wherein supplementing the portion of the electronic catalog comprises supplementing the portion with information about a current status of the related order; wherein the portion is a product detail portion for a first product; wherein the related order is an order previously placed by the customer for the first product; wherein the related order is a previous order placed by the customer for a second product that is related to the first product; an indication that a product represented therein is incompatible with a related product previously purchased by the customer; wherein the portion corresponds to a category of products; wherein identifying a related order

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comprises identifying an order for a product that falls within the category; wherein the portion provides an option to initiate placement of an order for a product; wherein the portion is a web page; wherein the portion is a voiceXML page that is adapted for audible output to the customer; further comprising supplementing the portion with information about at least one additional order that is related to the subset of products. (See at least abstract; summary; Fig. 39; Figs. 62-65; page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; pages 29, paragraph 386- pages 30, paragraph 392)

Regarding to claims 13-26, Burton discloses a computer-implemented method of providing information about prior orders to customers of an online store, comprising: providing online access to an electronic catalog of products that are available; receiving a request from an online customer for information from the electronic catalog associated with a subset of the products; identifying a related order previously placed by the customer said related order being related to the subset of products; and responding to the request by sending the online customer information from the electronic catalog, whereby customers are presented with context-sensitive information about their previous orders. Furthermore, Burton discloses wherein the information about the related order comprises information about a current status of the related order, wherein the related order is a previous order for the first product, and responding to the request comprises returning a product detail page for the first product supplemented with the information about the related order; wherein the related order is a previous order for the first product; wherein the related order is a previous order for a second product that is

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related to the first product; wherein the request comprises a search query submitted by the online user; wherein the request is for a page that corresponds to a category products; wherein the request is for a page that corresponds to a category of products, and wherein responding to the request comprises supplementing the page with information about the related order; a notification that an incompatibility exists between a displayed product and a related product; wherein the request is independent of orders previously placed by the customer; wherein the method is performed by a web site system; wherein the method is performed by a system that provides voice-based access to the electronic catalog; and wherein the method is performed by an interactive television system (See at least abstract; summary; Fig. 39; Figs. 62-65; page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; pages 29, paragraph 386- pages 30, paragraph 392)

Regarding to claims 27-30, Burton discloses an online store system comprising an electronic catalog of products; and a server system that provides online access to the electronic catalog of products and provides functionality for customers to purchase products from the electronic catalog. Furthermore, Burton discloses wherein the server system is responsive to a request from a customer for a page from the electronic catalog by supplementing the page with information about a related order placed by the customer, whereby the customers are presented with context-dependent information about related orders during browsing of the electronic catalog. Moreover, Burton discloses wherein the server system is responsive to a request by the customer for a detail page of a product; wherein the server system is responsive to a request by the

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customer for a detail page of a first product by supplementing the detail page with information about a prior order placed by the customer for a second product that is related to the first product; wherein the server system is responsive to a request by the customer for a category page associated with a particular product category by supplementing the category page with information about prior orders of products that fall within the product category. (See at least abstract; summary; Fig. 39; Figs. 62-65; page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; pages 29, paragraph 386- pages 30, paragraph 392)

Regarding to claims 32-37, Burton discloses a computer-implemented method of providing account-specific information to users of an online store comprising: providing online access to an electronic catalog of products; maintaining user-specific order histories representing orders placed by users for products in the electronic catalog; and when a user accesses a product detail page of a first product that was previously supplementing the product page with at least indication that the user previously ordered the first product. Furthermore, Burton discloses the method wherein supplementing the product detail page comprises displaying information within the product detail page about a current status of an order for the first product; wherein supplementing the product detail page further comprises presenting an option to the user to track shipment of the order; and wherein supplementing the product detail page further comprises presenting an option to user to cancel or modify the order. Moreover, Burton discloses further comprising supplementing the product detail page with information about an order placed by the customer for a product that is related to the first product; further

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comprising, when the user accesses a category page associated with a category of the products in the electronic catalog, supplementing the category page with information about an order placed by the user for a product that falls within category. (See at least abstract; summary; Fig. 39; Figs. 62-65; page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; page 14, paragraph 198; page 28, paragraph 371; pages 29, paragraph 386- pages 30, paragraph 392)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 21, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PG-PUB 2002/0007321 to Burton in view of U.S. Patent No. 5,890,175 to Wong et al.** Burton discloses the claimed invention, however, it does not disclose a shopping cart page that displays contents of a shopping cart of the customer. Wong, on the other hand, teaches the shopping cart page (see at least abstract, summary, Fig. 15; col. 8, lines 28-52). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method and system of Burton to include the shopping cart page, as taught by Wong, in order to collect information about each product ordered by the consumer and allows the consumer to review each selected item.



**Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burton in view of U.S. Patent No. 6,016,504 to Arnold.** Burton discloses the claimed invention, however, Burton does not disclose a browse node page of a browse tree in which products are arranged by category. Arnold, on the other hand, teaches the browse node page, as described above (see abstract, summary, col. 10, lines 23-52). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Burton to include the browse node page, as taught by Arnold, in order to allow a customer to browse through catalog Web pages supplied by the merchant.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

PCT WO 97/22943 to Hitchcock et al. discloses a user's graphical interface system with customized routing rules which allows a customer to operate an order routing system.

PCT WO 00/62223 to Bezos et al. discloses a system and method that assist customers in selecting products or other types of items from an electronic catalog of a merchant.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on Monday-Friday 8:30-5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

mtot  
October 3, 2002

  
WYNN W. COGGINS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600